

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

SHANE ROBERT SMITH,

Defendant.

4:20CR3071

ORDER

Defendant has moved to continue the pretrial motion deadline and trial, (Filing Nos. 20 & 21), because Defendant needs additional time to investigate this case and prepare for trial. The motion to continue is unopposed. Based on the showing set forth in the motion, the court finds the motion should be granted. Accordingly,

IT IS ORDERED:

- 1) Defendant's motions to continue, (Filing Nos. 20 & 21), are granted.
- 2) The pretrial motion deadline is extended to December 23, 2020.
- 3) The trial of this case is set to commence before the Honorable Richard G. Kopf, Senior United States District Judge, in Courtroom 1, 100 Centennial Mall North, United States Courthouse, Lincoln, Nebraska, at 9:00 a.m. on January 25, 2021, or as soon thereafter as the case may be called, for a duration of four (4) trial days. Jury selection will be held at commencement of trial.
- 4) The ends of justice served by granting the motions to continue outweigh the interests of the public and the defendant in a speedy trial, and the additional time arising as a result of granting the motions, the time between today's date and January 25, 2021, shall be deemed excludable time in any computation of time under the requirements of the Speedy Trial Act, because although counsel have been duly diligent, additional time is needed to adequately prepare this case for trial and failing to grant additional time might

result in a miscarriage of justice. 18 U.S.C. § 3161(h)(1) & (h)(7). Failing to timely object to this order as provided under this court's local rules will be deemed a waiver of any right to later claim the time should not have been excluded under the Speedy Trial Act.

October 29, 2020.

BY THE COURT:

s/ Cheryl R. Zwart

United States Magistrate Judge